

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Darras L J HANCOCK**

Serial No.: 10/517,950

Group No.: 3637

Filed: October 3, 2005

Examiner: J. Chen

For: BENCH GUARD

Attorney Docket No.: U 015536-8

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW

This Statement is being filed in response to the Examiner's requests therefor in the Interview Summaries mailed on May 27, 2009 and May 29, 2009. It is noted that this Statement is not intended to be a response to the Office Action mailed on April 27, 2009, which Office Action the undersigned attorney understands will be vacated in any event, as explained below.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

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Signature

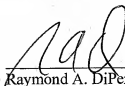
Raymond A. DiPerna
(type or print name of person certifying)

The Examiner's Interview Summary of May 27, 2009 follows the telephonic interview between the Examiner and Applicant's undersigned attorney on May 21, 2009. The interview was initiated by the undersigned attorney, who expressed concern that the reasoning set forth in the Office Action of April 27, 2009 (like the previous Office Action of July 29, 2008) amounts in large part to a general allegation that the claims are unpatentable, without more clearly explaining the pertinence of each reference, including the particular parts relied on, with respect to each rejected claim (see 37 C.F.R. 1.104(c)(2), as quoted in MPEP 706). The undersigned attorney requested that the Examiner vacate the Office Action of April 27, 2009 and issue a new Action with a reset time period for reply, but no agreement as to that was reached during the interview. The undersigned attorney subsequently left a voice message for the Examiner's supervisor Lanna Mai requesting that the Office Action be vacated for the above reasons, after which the undersigned attorney received a return voice message from the Examiner stating that the Office Action would indeed be vacated.

The Examiner's Interview Summary of May 29, 2009 follows the telephonic interview between the Examiner and Applicant Darras Hancock on May 27, 2009. The undersigned attorney understands that such an interview took place and that it was along the lines of what the Examiner describes in the Interview Summary, although the undersigned attorney was not a party to that interview.

In view of the fact that the Examiner's Interview Summary required this paper to be submitted, Applicants consider it improper for the U.S. Patent and Trademark Office to reduce, on the basis of this paper, the Patent Term Adjustment granted to this application.

Respectfully Submitted



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